

**§ 176.415**

**49 CFR Ch. I (10–1–07 Edition)**

allow for the circulation of air and access of water in the event of fire;

(4) The bags must be stowed from side to side, out to the sweatboards;

(5) A space of 46 cm (18 inches) must be provided between any transverse bulkhead and the bags;

(6) The bags must be stowed so as to provide a 46 cm (18 inch) athwartship trench along the centerline of the compartment, continuous from top to bottom;

(7) The bags must be stowed so as to provide a 46 cm (18 inch) amidship trench running fore and aft from bulkhead to bulkhead;

(8) The bags may not be stowed less than 46 cm (18 inches) from any overhead deck beam;

(9) The bags must be stowed so as to provide vent flues 36 cm (14 inches) square at each corner of the hatch continuous from top to bottom;

(10) Trenching must be accomplished by alternating the direction of the bags in each tier (bulkheading); and

(11) The bags must be blocked and braced as necessary to prevent shifting of the bagged cargo adjacent to any trench area.

(e) Notwithstanding §176.83(b) of this part, ammonium nitrate and ammonium nitrate fertilizers classed as Division 5.1 (oxidizers) materials, may be stowed in the same hold, compartment, magazine, or freight container with Class 1 materials (explosive), except those containing chlorates, in accordance with the segregation and separation requirements of §176.144 of this part applying to Explosives, blasting, type B, and Explosives, blasting, type E, Division 1.5 compatibility group D.

(f) No mixture containing ammonium nitrate and any ingredient which would accelerate the decomposition of ammonium nitrate under conditions incident to transportation may be transported by vessel.

[Amdt. 176–30, 55 FR 52706, Dec. 21, 1990, as amended at 56 FR 66282, Dec. 20, 1991; Amdt. 176–34, 58 FR 51533, Oct. 1, 1993; Amdt. 176–38, 60 FR 49111, Sept. 21, 1995; 65 FR 58630, Sept. 29, 2000; 66 FR 45384, Aug. 28, 2001; 68 FR 45041, July 31, 2003]

**§ 176.415 Permit requirements for Division 1.5, ammonium nitrates, and certain ammonium nitrate fertilizers.**

(a) Except as provided in paragraph (b) of this section, before any of the following material is loaded on or unloaded from a vessel at any waterfront facility, the owner/operator must obtain written permission from the Captain of the Port (COTP).

(1) Ammonium nitrate UN1942, ammonium nitrate fertilizers containing more than 70% ammonium nitrate, or Division 1.5 compatibility group D materials packaged in a paper bag, burlap bag, or other nonrigid combustible packaging, or any rigid packaging with combustible inside packagings,

(2) Any other ammonium nitrate or ammonium nitrate fertilizer not listed in §176.410(a) or (b).

(b) Any of the following may be loaded on or unloaded from a vessel at any waterfront facility without a permit:

(1) Ammonium nitrate, Division 5.1 (oxidizer) UN1942, in a rigid packaging with a noncombustible inside packaging.

(2) Ammonium nitrate fertilizer, Division 5.1 (oxidizer) UN 2067, if the nearest COTP is notified at least 24 hours in advance of any loading or unloading in excess of 454 kg (1,000 pounds).

(3) Division 1.5 compatibility group D material in a rigid packaging with noncombustible inside packaging.

(4) Ammonium nitrate fertilizer, Class 9, UN 2071.

(c) Before a permit may be issued, the following requirements must be met in addition to any others the COTP may impose:

(1) If the material is Explosives, blasting, type E, Division 1.5 compatibility group D, UN0332 in a combustible packaging or in a rigid packaging with a combustible inside packaging, it must be loaded or unloaded at a facility remote from populous areas, or high-value or high-hazard industrial facilities, so that in the event of fire or explosion, loss of lives and property may be minimized;

(2) If the material is a Division 1.5 compatibility group D material in a non-rigid combustible packaging and

loaded in a freight container or transport vehicle, it may be loaded or unloaded at a non-isolated facility if the facility is approved by the COTP.

(3) Each facility at which the material is to be loaded or unloaded must conform with the requirements of the port security and local regulations and must have an abundance of water readily available for fire fighting;

(4) Each facility at which the material is to be loaded or unloaded must be located so that each vessel to be loaded or unloaded has an unrestricted passage to open water. Each vessel must be moored bow to seaward, and must be maintained in a mobile status during loading, unloading, or handling operations by the presence of tugs or the readiness of engines. Each vessel must have two wire towing hawsers, each having an eye splice, lowered to the water's edge, one at the bow and the other at the stern; and

[Amdt. 176-30, 55 FR 52706, Dec. 21, 1990, as amended at 56 FR 66282, Dec. 20, 1991; Amdt. 176-35, 59 FR 49134, Sept. 26, 1994; 65 FR 58630, Sept. 29, 2000; 66 FR 45185, 45384, 45385, Aug. 28, 2001; 68 FR 45041, July 31, 2003]

### Subpart K [Reserved]

### Subpart L—Detailed Requirements for Division 2.3 (Poisonous Gas) and Division 6.1 (Poisonous) Materials

SOURCE: Amdt. 176-30, 55 FR 52708, Dec. 21, 1990, unless otherwise noted.

#### § 176.600 General stowage requirements.

(a) Each package required to have a POISON GAS, POISON INHALATION HAZARD, or POISON label, being transported on a vessel, must be stowed clear of living quarters and any ventilation ducts serving living quarters and separated from foodstuffs, except when the hazardous materials and the foodstuffs are in different closed cargo transport units.

(b) Each package required to have both a POISON GAS label and a FLAMMABLE GAS label thereon must be segregated as a Division 2.1 (flammable gas) material.

(c) Each package bearing a POISON label displaying the text "PG III" or bearing a "PG III" mark adjacent to the poison label must be stowed away from foodstuffs.

(d) Each package of Division 2.3 (poisonous gas) material or Division 6.1 (poison) material which also bears a FLAMMABLE LIQUID or FLAMMABLE GAS label must be stowed in a mechanically ventilated space, kept as cool as reasonably practicable, and be stowed away from all sources of heat and ignition.

[Amdt. 176-30, 55 FR 52708, Dec. 21, 1990, as amended at 57 FR 45465, Oct. 1, 1992; Amdt. 176-35, 59 FR 49134, Sept. 26, 1994; Amdt. 176-42, 62 FR 1236, Jan. 8, 1997; 64 FR 10782, Mar. 5, 1999; 69 FR 76185, Dec. 20, 2004]

#### § 176.605 Care following leakage or sifting of Division 2.3 (poisonous gas) and Division 6.1 (poisonous) materials.

A hold or compartment containing a package of a Division 2.3 (poisonous gas) or Division 6.1 (poisonous) material which has leaked or sifted must be thoroughly cleaned and decontaminated after the cargo is unloaded and before the hold or compartment is used for the stowage of any other cargo.

### Subpart M—Detailed Requirements for Radioactive Materials

SOURCE: Amdt. 176-15, 48 FR 10245, Mar. 10, 1983, unless otherwise noted.

#### § 176.700 General stowage requirements.

(a) [Reserved]

(b) A package of radioactive materials which in still air has a surface temperature more than 5 °C (9 °F) above the ambient air may not be overstowed with any other cargo. If the package is stowed under deck, the hold or compartment in which it is stowed must be ventilated.

(c) For a shipment of radioactive materials requiring supplemental operational procedures, the shipper must furnish the master or person in charge of the vessel a copy of the necessary operational instructions.

(d) A person may not remain unnecessarily in a hold, or compartment, or